

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION

TYQUAN STEWART,)	
)	
Plaintiff,)	
)	
v.)	No. 1:16-CV-00138 – JTM-SLC
)	
LAKISHA HOUSTON)	
)	
Defendant.)	

ANSWER TO PLAINTIFF'S SECOND AMENDED COMPLAINT

COMES NOW, Defendant, Lakisha Houston, by counsel, and for her Answer to Plaintiff's Second Amended Complaint, states as follows:

I.

1. Defendant denies the allegations contained in Paragraph 1 of Plaintiff's Second Amended Complaint.
2. Defendant denies Plaintiff is entitled to the damages alleged in Plaintiff's Second Amended Complaint.

WHEREFORE, Defendant, Lakisha Houston, by counsel, pray that Plaintiff, Tyquan Stewart, take nothing by way of his Second Amended Complaint; that judgment be entered in her favor; for the costs of this action; and for all other just and proper relief in the premises.

AFFIRMATIVE DEFENSES

II.

COMES NOW, Defendant, Lakisha Houston, by counsel, and for her second paragraph of Answer and first paragraph of Affirmative Defenses, alleges and says that Plaintiff's Second Amended Complaint fails to state any claim against the Defendant upon which relief can be granted.

WHEREFORE, Defendant, Lakisha Houston, by counsel, pray that Plaintiff, Tyquan Stewart, take nothing by way of his Second Amended Complaint; that judgment be entered in her favor; for the costs of this action; and for all other just and proper relief in the premises.

III.

COMES NOW, Defendant, Lakisha Houston, by counsel, and for her third paragraph of Answer and second paragraph of Affirmative Defenses, alleges and states that Plaintiff, Tyquan Stewart, is guilty of fault which caused or contributed to the incident of which complained and such contributory fault operates either to bar the claims of the Plaintiff in their entirety or to reduce his right to recover from the Defendant to the extent of his comparative fault.

WHEREFORE, Defendant, Lakisha Houston, by counsel, pray that Plaintiff, Tyquan Stewart, take nothing by way of his Second Amended Complaint; that judgment be entered in her favor; for the costs of this action; and for all other just and proper relief in the premises.

IV.

COMES NOW, Defendant, Lakisha Houston, by counsel, and for her fourth paragraph of Answer and third paragraph of Affirmative Defenses, alleges and states that Plaintiff, Tyquan Stewart, was at fault, which contributory negligence caused or contributed to cause the injuries of which he complains and such contributory negligence operates to bar the claims of the Plaintiff in their entirety.

WHEREFORE, Defendant, Lakisha Houston, by counsel, pray that Plaintiff, Tyquan Stewart, take nothing by way of his Second Amended Complaint; that judgment be entered in her favor; for the costs of this action; and for all other just and proper relief in the premises.

DEMAND FOR JURY TRIAL

Defendant, Lakisha Houston, herein demands a trial by jury of all issues in this case.

Respectfully submitted,

ROTHBERG LOGAN & WARSCO LLP

s/ Mark W. Baeverstad

Mark W. Baeverstad, Atty. No. 3896-02

505 East Washington Blvd.

Fort Wayne, IN 46802

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Facsimile: (260) 422-1622

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of October, 2016, the following non-CM/ECF participant was served by first class U.S. mail, postage prepaid to:

Tyquan Stewart
4510 Austin Dr.
Fort Wayne, IN 46806

s/Mark W. Baeverstad

Mark W. Baeverstad